

DECLARATION

IN A CONTINUATION APPLICATION

Attorney Docket No.

C348.12-0011

SPECIFICATION AND INVENTORSHIP IDENTIFICATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed, and for which a patent is sought, on the invention entitled NASAL DILATOR the specification of which,

(check one) ☒ X is attached hereto.

☐ was filed on _____ as Appln. Serial No. _____.

☐ and was amended on _____.

☐ was described and claimed in PCT International Application

No. _____ filed on _____ and as amended under PCT Article 19 on _____.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

PRIORITY CLAIM (35 USC § 119)

I claim priority benefits under Title 35, United States Code, § 119 of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Application(s)

Number	Country	Day/Month/Year Filed	Priority Claimed
_____	_____	_____	Yes___ No___
_____	_____	_____	Yes___ No___

PRIORITY CLAIM (35 USC § 120)

I claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below. Insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 United States Code § 112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability

as defined in Title 37 Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Appln. Ser. No.	U.S. Serial No. (if any under PCT)	Filing Date	Status
<u>08/183,916</u>	<u> </u>	<u>January 19, 1994</u>	<u>Allowed</u>
<u>08/048,589</u>	<u> </u>	<u>April 16, 1993</u>	<u>Abandoned</u>
<u>07/884,626</u>	<u> </u>	<u>May 15, 1992</u>	<u>Abandoned</u>
<u>07/712,508</u>	<u> </u>	<u>June 6, 1991</u>	<u>Abandoned</u>

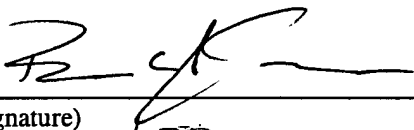
DECLARATION

I declare that all statements made herein that are of my own knowledge are true and that all statements that are made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DESIGNATION OF CORRESPONDENCE ADDRESS

Please address all correspondence and telephone calls to Theodore F. Neils in care of:

KINNEY & LANGE, P.A.
Suite 1500
625 Fourth Avenue South
Minneapolis, Minnesota 55415-1659
Phone: (612) 339-1863 Fax: (612) 339-6580

Inventor:  Date: 3-14-96
(Signature)

Inventor: Bruce C. Johnson
(Printed Name)

Residence: St. Paul, Minnesota MN

Citizenship: U.S.A.

P.O. Address: 864 East Orange Avenue, St. Paul, Minnesota 55106

POWER OF ATTORNEY

Attorney Docket No.

C348.12-0011

Inventor(s) : Bruce C. Johnson

Title : NASAL DILATOR



In the patent application:

X identified above (and submitted to the Patent and Trademark Office herewith).

— filed on _____ as application Serial No. _____

I appoint the following attorneys and agents to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution and revocation:

Robert M. Angus	Reg. No. <u>24,383</u>	Paul P. Kempf	Reg. No. <u>39,727</u>
Michael R. Binzak	Reg. No. <u>38,081</u>	Theodore M. Magee	Reg. No. <u>39,758</u>
Michael A. Bondi	Reg. No. <u>39,616</u>	Matthew B. McNutt	Reg. No. <u>39,766</u>
Gena M. Chapman	Reg. No. <u>39,627</u>	Theodore F. Neils	Reg. No. <u>26,316</u>
Timothy A. Czaja	Reg. No. <u>39,649</u>	Todd A. Rathe	Reg. No. <u>38,276</u>
David R. Fairbairn	Reg. No. <u>26,047</u>	Z. Peter Sawicki	Reg. No. <u>30,214</u>
Philip F. Fox	Reg. No. <u>38,142</u>	Jeffrey D. Shewchuk	Reg. No. <u>37,235</u>
Paul S. Grunzweig	Reg. No. <u>37,143</u>	John M. Weyrauch	Reg. No. <u>37,258</u>
Jeff A. Holmen	Reg. No. <u>38,492</u>	James L. Young	Reg. No. <u>30,514</u>

I ratify all prior actions taken by Kinney & Lange, P.A. or the attorneys and agents mentioned above in connection with the prosecution of the above-mentioned patent application.

I authorize Kinney & Lange, P.A. to mark the appropriate space above and to insert the filing date and Serial No. of the application, as appropriate.

Please address all correspondence and telephone calls to Theodore F. Neils in care of:

KINNEY & LANGE, P.A.
Suite 1500
625 Fourth Avenue South
Minneapolis, Minnesota 55415-1659
Phone: (612) 339-1863 Fax: (612) 339-6580

CREATIVE INTEGRATION & DESIGN, INC.

Signature:

Bruce C. Johnson

Dated:

3-14-96

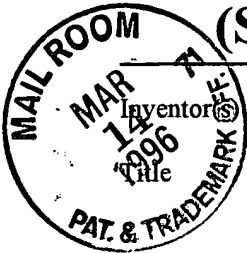
Title:

President

**VERIFIED STATEMENT CLAIMING
SMALL ENTITY STATUS
(SMALL BUSINESS CONCERN)**

Attorney Docket No.

C348.12-0011



: Bruce C. Johnson

: NASAL DILATOR

With respect to the invention described in

- ☒ the application filed herewith:
— application Serial No. _____, filed _____:
— Patent No. _____, issued _____:

I. IDENTIFICATION OF DECLARANT AND ANY RIGHTS AS A SMALL ENTITY

I am:

- the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN
ADDRESS OF CONCERN

Creative Integration & Design, Inc.
864 East Orange Avenue
St. Paul, Minnesota 55106

The above-identified small business concern qualifies as a small business concern as defined in 13 CFR § 121.12, and reproduced in 37 CFR § 1.9(d), for purposes of paying reduced fees under 35 USC §§ 41(a) and (b).

II. OWNERSHIP OF INVENTION BY DECLARANT

Rights under contract or law remain with or have been conveyed to the above-identified concern. If the rights held are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person who could not be classified as (1) an independent inventor under 37 CFR § 1.9(c) if that person had made the invention, (2) a small business concern under 37 CFR § 1.9(d) or (3) a non-profit organization under 37 CFR § 1.9(e).

- There is no such person, concern, or organization.
☒ The person, concerns or organizations are listed below:

FULL NAME CNS, Inc.

ADDRESS 4400 West 78th Street, Bloomington, Mn 55435

- ☐ Individual
☒ Small Business Concern
☐ Non-Profit Organization


III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE

I acknowledge the duty to file, in this application or patent, notification of any change resulting in loss of entitlement to small entity status pursuant to 37 CFR § 1.28(b).

IV. DECLARATION

All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

V. SIGNATURES

Signature: 
Bruce C. Johnson

Date: 3-14-96

Title: President